

REMARKS/ARGUMENTS

Favorable reconsideration of this Application as presently amended and in light of the following discussion is respectfully requested.

Claims 19-47 are pending, and Claims 19-22, 28, and 36 are amended. Support for the amendments may be found in the originally filed claims, page 6, line 21 to page 7, line 2 of the specification, and Figure 1. Therefore, no new matter is added.

In the outstanding Office Action, Claims 19-23, 26-30, 33-42, and 44-47 were rejected under 35 USC § 103(a) as unpatentable over US Patent No. 6,075,844 to Goldberg in view of US Patent No. 5,953,393 to Culbreth et al. (hereinafter Culbreth).

Claims 24, 25, 31, 32, and 43 were indicated as reciting allowable subject matter. Applicants acknowledge with appreciation the indication of allowable subject matter.

Applicant acknowledges with appreciation the courtesy of an interview between the Examiner and Applicant's representatives conducted on January 23, 2007. During the interview, the Examiner and Applicant's representatives discussed the § 103(a) rejections in the outstanding Official Action and proposed claim amendments similar to those presented herein. Arguments presented during the interview are reiterated below.

Claim 19 is directed to a message exchange system having an address module configured to store a plurality of lists, a receiving module configured to receive a spoken message from one of the subscribers in the telephone network, a speech recognition module configured to enable the transmitting subscriber to designate by means of spoken language one of the other subscribers as an addressee, a transmission module configured to transmit the stored message by means of an automatic call to the addressee, and a reply module configured to receive and store the reply from the addressee. Claim 19 is amended to recite that each subscriber identification contains a subscriber identifier and a corresponding reference number. Additionally, Claim 19 is amended to recite that the speech recognition module is configured

to enable the transmitting subscriber to edit the list assigned to the transmitting subscriber *using speech recognition* by means of spoken language.

Goldberg describes a messaging system where a sending party records a message on a recording device, and the message is downloaded onto the sending party's computer for transmission.¹ When recording the message, the sending party may precede the actual message with a message header used for identification of the addressee of the message. When the message with the message header is downloaded to the sending party's computer, speech recognition software is used to identify the addressee listed in the message header.² In the sending party's computer, each addressee has a corresponding access code. Thus, when an addressee is identified in the message header, the computer uses the addressee's access code to determine how to contact the addressee.³ Goldberg further describes that the message header may contain the names of one or more addressees.⁴ If the name of an addressee is incorrectly recognized, the sending party can re-record the message header and download the recorded header onto the sending party's computer, or alternatively, the sending party can manually input the information into the computer.⁵

Claim 19 is distinguishable over Goldberg as the applied reference fails to disclose a speech recognition module configured to enable the transmitting subscriber *to edit the list assigned to the transmitting subscriber using speech recognition by means of spoken language*. Goldberg merely describes that when the names in a message header are incorrectly identified, the sending party can re-record the message header, which is then downloaded on the sending party's PC. Goldberg fails to disclose or suggest that the sending party *uses speech recognition* when re-recording the names in the message header.

¹ See Goldberg at column 3 lines 28-42.

² See Goldberg at column 3 lines 42-54.

³ See Goldberg at column 4, line 66 to column 5, line 7.

⁴ See Goldberg at column 9, lines 5-12.

⁵ See Goldberg at column 6, lines 26-34.

Additionally, the *list assigned to the transmitting subscriber* contains subscriber identifications with each identification containing a subscriber identifier and *a corresponding reference number*. Goldberg fails to disclose or suggest that a re-recorded header contains a *corresponding reference number* for each name in the header.

Further, the outstanding Official Action recognizes in the fourth paragraph of page 3 that Goldberg does not disclose inquiring if a reply is to be sent from the addressee to the transmitting subscriber and a reply module configured to receive and to store the reply from the addressee. To cure this deficiency, the outstanding Office Action relies on Culbreth. However, Culbreth does not cure the deficiencies of Goldberg as discussed above.

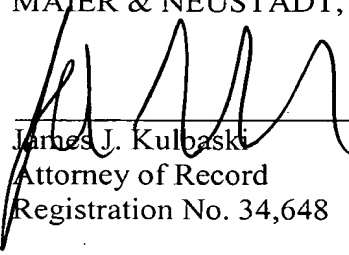
Therefore, Applicants respectfully submit that Goldberg and Culbreth fail to disclose all the limitations of Claim 19 as amended. Applicants respectfully request that the rejection of Claim 19, and claims depending therefrom, be withdrawn.

As independent Claims 28 and 36 disclose features analogous to Claim 19, Applicants respectfully submit that Claims 28 and 36 are at least patentable for the reasons stated for the patentability of Claim 19. Accordingly, Applicants respectfully request that the rejection of Claims 28 and 36, and claims depending therefrom, under 35 USC § 103(a) be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the present invention patentably distinguishes over the applied references. The present application is therefore believed to be in a condition for formal allowance in an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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